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84289

September 13, 1996

Federal Express

Lance R. Richman, P.G.
Emergency and Remedial Response Division
U. S. Environmental Protection Agency
290 Broadway, 19th Floor
New York, NY 10007-1866

Re: Supplementary Response of Reichhold
Chemicals, Inc. to the Request For
Information -Diamond Alkali Superfund
Site: Passaic River Study Area

Dear Richman:

Enclosed is the Supplementary Response of Reichhold Chemicals, Inc. to the Request for Information forwarded to Reichhold under cover of the April 30, 1996 letter of Kathleen C. Callahan, Director, along with appropriate supporting documentation. The "Certification of Answers to Request For Information" will be forwarded shortly under separate cover.

If you have any questions, please contact the undersigned at 716-847-7023, or David P. Flynn, Esq. at 716-847-5473.

Yours very truly,

PHILLIPS, LYTLE, HITCHCOCK, BLAINE & HUBER

By


Adam S. WaltersASWz
enc.

cc: Amelia Wagner, Esq.
(w/enc. and supporting
documentation)

**SUPPLEMENTARY RESPONSE OF REICHOLD CHEMICALS, INC.
TO THE REQUEST FOR INFORMATION
DIAMOND ALKALI SUPERFUND SITE
PASSAIC RIVER STUDY AREA**

This is the Supplementary Response ("Response") of Reichhold Chemicals, Inc. ("Reichhold") to the Request for Information ("Request") received under cover of the letter of Kathleen C. Callahan, Director, Emergency and Remedial Response Division, U.S. Environmental Protection Agency ("EPA"), Region II, dated April 30, 1996.

Reichhold submitted a Preliminary Response to EPA on August 16, 1996. Reichhold is now supplementing its Preliminary Response. This Response includes the submission of relevant and appropriate supporting documentation.

* * *

Reichhold continues to object to the Request to the extent the instructions and/or questions are overbroad, irrelevant, unclear, seek Attorney-Client, other privileged or confidential information, or are otherwise improper. Without waiving these or any other objections, and, in fact, expressly reserving them, Reichhold further responds as follows to the questions set forth in the Request.

1. How long has your company operated at each of the facilities designated above? If your company no longer operates these facilities, during what years did your company operate at each one?

Answer: Reichhold has directly operated the 46 Albert Avenue Facility ("Albert Facility") since approximately March, 1989. Reichhold has directly operated the 400 Doremus Avenue Facility ("Doremus Facility") since approximately September, 1989. Appropriate supporting documentation is supplied.

Reichhold has never directly operated any facility at 185 Foundry Street, Newark, New Jersey ("Foundry Street Facility"). Reichhold believes that the Foundry Street Facility was operated by Cellomer Corporation. Accordingly,

none of Reichhold's subsequent answers refer to the Foundry Street Facility.

2. a) Does your company have or has it in the past had a permit or permits issued pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.? If "yes", please provide the years that your company held such a permit and its EPA Identification Number.

Answer: Reichhold has not received a permit to operate a treatment, storage or disposal facility at the Albert Facility pursuant to 42 USC § 6901, et seq. A Part A application was filed in 1984. On or about July, 1990, however, the New Jersey Department of Environmental Protection and Energy (NJDEPE) delisted the Albert Facility from TSD Status, as the Albert Facility never undertook activities requiring such a permit. Reichhold has not received a permit to operate a treatment, storage or disposal facility at the Doremus Facility. However, a previous owner of the Doremus Facility had such a permit and was in the process of completing a NJDEPE approved closure plan when Reichhold began directly operating the Doremus Facility. Appropriate supporting documentation is supplied.

- b) Does your company have or has it in the past had a permit or permits issued pursuant to the Federal Water Pollution Control Act, 33 U.S.C. § 1251, et seq.? If "yes", please provide the years that your company held such a permit.

Answer: Reichhold has never had a NPDES (or state equivalent) permit for the discharge of process wastewaters from its Albert Facility. Reichhold has had a NJPDES permit from the NJDEPE since approximately 1989 for stormwater at the Doremus Facility. Appropriate supporting documentation is supplied.

3. Did your company receive, utilize, manufacture, discharge, release or dispose of any materials containing the following substances at any of your Newark facilities:

Answer: Reichhold has utilized materials in the manufacturing process at its Albert Facility and Doremus Facility that contained the following substances:

	<u>Albert</u>		<u>Doremus</u>	
	Yes	No	Yes	No
2,3,7,8 tetrachlorodibenzo-p-dioxin or other dioxin compounds		<u>x</u>		<u>x</u>
N-Butyl Alcohol	<u>x</u>		<u>x</u>	
Acids	<u>x</u>		<u>x</u>	
Xylene	<u>x</u>		<u>x</u>	
Ethyl Benzene	<u>x</u>		<u>x</u>	
Toluene	<u>x</u>		<u>x</u>	
Phenol	<u>x</u>		<u>x</u>	

Appropriate supporting documentation is supplied. See also, responses to Nos. 7 and 12 below.

4. a) Provide a description of the manufacturing processes for which all hazardous substances, including, but not limited to, the substances listed in response to item (3), were a product or by-product.

b) During what parts of the manufacturing processes identified in the response to items (4)(a), above, were hazardous substances, including, but not limited to, the substances listed in response to item (3), generated?

i) Describe the chemical composition of these hazardous substances.

- ii) For each process, what amount of hazardous substances was generated per volume of finished product?
- iii) Were these hazardous substances combined with wastes from other processes? If so, wastes from what processes?

Answer: A description of Reichhold's manufacturing processes at both the Albert Facility and the Doremus Facility are set forth in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to those documents for the information requested. See also, responses to Nos. 7 and 12 below.

5. Describe the methods of collection, storage, treatment, and disposal of all hazardous substances, including, but not limited to, the substances listed in response to item (3) and (4) for each of your Newark facilities. Include information on the following:
- a) Identify all persons who arranged for and managed the processing, treatment, storage and disposal of hazardous substances.
 - b) If hazardous substances were taken off-site by a hauler or transporter, provide the names and addresses of the waste haulers and the disposal site locations.
 - c) Describe all storage practices employed by your company with respect to all hazardous substances from the time operations commenced until the present. Include all on-site and off-site storage activities.
 - d) Describe all hazardous substance storage locations at your facilities in Newark, New Jersey.
 - e) EPA has information that a possible leak in dikes surrounding storage tanks at one of your facilities may have been the cause of discharges of hazardous substances into the Passaic River/Newark Bay. Was this investigated and if such a leak did exist was it remedied? Please provide all documentation regarding this incident.

Answer: Neither Reichhold's Albert Facility nor Reichhold's Doremus Facility are RCRA TSDF facilities and, therefore, do not treat, store or dispose of hazardous wastes on-site. Both facilities accumulate (less than 90 days) hazardous wastes and other solid wastes for subsequent off-site treatment and/or disposal. Both facilities have used a number of haulers and permitted facilities for the disposal of hazardous waste. Manifests for waste shipments for the last six years are provided as supporting documentation, identifying the waste, transporter and TSDF facility for all hazardous waste sent off-site for disposal. Details related to hazardous substance storage practices and locations at each Facility, are set forth in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to those documents for the information requested. See also, responses Nos. 7 and 12 below. Additionally, for information related to any dike leaks, see response to No. 8 below.

6. a) For process wastewaters generated at each Newark facility which contained any hazardous substances, including, but not limited to, the substances listed in response to item (3) and (4):
- i) Was the waste stream discharge into a sanitary sewer and if so, during what years?
 - ii) Were they treated before being discharged to the sanitary sewer and if so, how? Please be specific.
 - iii) If the waste waters were not discharged to the sanitary sewer, where were they disposed and during what years?

- iv) Please provide the results of any analyses performed on any waste process streams generated at the facility.

Answer: Between March, 1989, when Reichhold began directly operating the Albert Facility, and November 1990, process wastewaters were discharged to the sanitary sewer pursuant to a permit with the Passaic Valley Sewerage Commission ("PVSC"). Since that time, wastewaters have been collected and disposed of off-site. Details related to off-site transport and disposal, as well as any analysis of wastewaters, are set forth in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to those documents for the information requested.

Reichhold has discharged process wastewaters from the Doremus Facility to the sanitary sewer pursuant to a permit from PVSC since it began directly operating the Doremus Facility in 1989. The wastewater is treated in a steam stripper and adjusted for pH prior to discharge. In January, 1992, a fire at the Doremus Facility rendered the treatment equipment inoperable and shut down most facility operations. All wastewater was disposed of off-site until approximately August, 1992. Details related to off-site transport and disposal, as well as any analysis of the wastewater, are set forth in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to those documents for the information requested.

6. b) For floor drains or other disposal drains at each facility:
- i) Did the drains connect to a sanitary sewer and if so, during what years?
 - ii) If the floor drains or other disposal drains at the facility were not discharged to the sanitary sewer, where did they discharge and during what years?
- c) i) Did any storm sewers, catch basins or lagoons exist at any time at any of the facilities and if so, during what years?
- ii) If catch basins or lagoons existed, were they lined or un-lined?
 - iii) Where was the discharge from any of these structures released and during what years? Was this discharge treated before its release and if so, how and during what years? What was the chemical composition of any waste waters released, and during which years?
- d) Please supply diagrams of any waste water collection, transport or disposal systems at each of your Newark facilities.

Answer: Floor and storm drains at the Albert Facility are connected to the sanitary sewer system. Drains at the Doremus Facility discharge pursuant to a NJPDES permit. Details related to the composition of the discharges are set forth in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to those documents for the requested information. For additional information related to the Doremus Facility NJPDES permit, see response to No. 2(b) above. Diagrams of the sewer plans are included in the accompanying supporting documentation.

7. a) For each hazardous substance, including, but not limited to, the substances listed in response to item (3) or identified in the responses to item (4), above, provide the total amount generated during the operation of each Newark facility on an annual basis.
- b) Were any hazardous substances, including, but not limited to, the substances listed in response to item (3) or identified in the responses to item (4), above, disposed of in the Passaic River or discharged to the Passaic River? If yes, identify the hazardous substances, estimate the amount of material discharged to or disposed of in the Passaic River and the frequency with which this discharge or disposal occurred.

Answer:

The amount of hazardous substances generated at the Doremus and Albert Facilities on an annual basis are set forth in Reichhold's Form R and Tier I/II submittals. Form R and Tier I/II submittals for the last three years are included in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to those documents for the information requested. See also, response to No. 12 below.

8. a) Please identify any leaks, spills, explosions, fires or other incidents or accidental material discharge that occurred at any of your Newark facilities during which or as a result of which any hazardous substances, including, but not limited to, the substances listed in response to items (3) or (4), were released on the property, into the waste water facility or storm drain or into the Passaic River. Provide any documents or information relating to these incidents, including the results of any sampling of the soil, water, air, or other environmental media after any such incident before and after clean-up.

- b) Specifically, please provide information relating to the following incidents:
- i) a explosion and fire which occurred at your 400 Doremus Avenue facility on or about January 10, 1992. Please describe this incident and provide any documents relating to the incident and a clean-up, if any, or subsequent preventive measures taken.
 - ii) a spill which occurred at your 400 Doremus Avenue facility on or about March 31, 1991 and April 3, 1991 when alkyd resins and then resin mixed with Xylene and N-Butyl Alcohol spilled into the Passaic River/Newark Bay area. Please describe these incidents and provide any documents relating to the incidents and what clean-up, if any, or subsequent preventive measures taken.

Answer: The details of known incidents involving the release of hazardous substances at the Albert Facility and Doremus Facility, including an explosion at the Doremus Facility on or about January 10, 1992 and a spill at the Doremus Facility on or about March 31, 1991 and April 3, 1991 are set forth in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to these documents for the information requested.

9. Provide the date of any leaks, spills, explosions, fires or be provided, other incidents of accidental material discharge of any hazardous substances, including, but not limited to, the substances listed in response to items (3) and (4), at any of your Newark facilities, into the waste water discharge or storm drain system at the facility or into the Passaic River. Please provide the results of any environmental sampling done pre- and post-incident and the details of the ultimate disposal of any contaminated materials.

Answer: See response to No. 8 above.

10. a) Were any of your Newark facilities ever subject to flooding. If so, was the flooding due to:
- i) overflow from sanitary or storm sewer back-up, and/or
 - ii) flood overflow from the Passaic River?
- b) Please provide the date and duration of each flood event.

Answer: Reichhold is not aware of any serious flooding event extensively impacting the Albert Facility in recent years. Reichhold is aware of flooding events at the Doremus Facility associated with Newark Bay, but lacks documentation regarding the exact cause of the flooding or the date and duration of such events.

11. Please provide a detailed description of any civil, criminal or administrative proceedings against your company for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal relating to your Newark facilities. Provide copies of all pleadings and depositions or other testimony given in these proceedings.

Answer: Details relating to enforcement actions concerning environmental matters at the Albert Facility and the Doremus Facility while Reichhold has directly operated these facilities are set forth in the accompanying supporting documentation. Accordingly, Reichhold refers EPA to those documents for the information requested.

12. Provide a copy of each document which relates to the generation, purchase, use, handling, hauling, and/or disposal of all hazardous substances, including, but not limited to, the substances listed in response to items (3) or (4) at your Newark facilities. If you are unable to provide a copy of

any document, then identify the document by describing the nature of the document (e.g. letter, file memo, invoice, inventory form, billing record, hazardous waste manifest, etc.). Describe the relevant information contained therein. Identify by name and job title the person who prepared the document. If the document is not readily available, state where it is stored, maintained, or why it is unavailable.

Answer: Relevant and appropriate documents responsive to this Request are provided in the accompanying supporting documentation.

13. There is no question 13.

14. a) Did you or anyone else sample the soil, groundwater, surface water, ambient air or other environmental media at any of your Newark facilities for purposes other than identified in the questions above?
- b) If so, please provide all documents pertaining to the results of the analyses.

Answer: In December 1992, under the supervision of the NJDEPE, Reichhold began an underground storage tank closure program at the Albert Facility. In connection with this underground storage tank closure program, Reichhold has performed soil and groundwater sampling. Documentation pertaining to the results of these analyses are provided with response to No. 8 above.

In regard to the Doremus facility, Reichhold believes that Textron, Inc. may have performed environmental studies and/or testing and remediation at the Doremus Facility under the supervision of NJDEPE. Reichhold refers EPA to the NJDEPE and Textron for such information.

15. a) Has your company owned each of the facilities at the locations designated above? If yes, from whom did your company purchase each facility and in what year? If your company subsequently sold the facility, to whom did your company sell it and in what year? Plan provide copies of any deeds and documents of sale.

Answer: See Response to No. 15(c) below.

- b) If your company did not own any of the facilities, from whom did your company rent the facility and for what years? Please provide copies of any rental agreements.

Answer: Not applicable.

- c) To the extent that you know, please provide the names of all parties who owned or operated each of your Newark facilities during the period from 1940 through the present. Describe the relationship, if any, of each of those parties with your company.

Answer: The prior owners/operators of the Albert Facility include:

Unknown→1966	Vit-Var Company (Division of Textron Industries, Inc.)
1966-1983	Cellomer Corp.
1983-1989	Polychrome Chemicals Corp.

The prior owners/operators of the Doremus Facility include:

1939→1954	U S Industrial Chemicals, Inc.
1954-1967	Archer Daniels Midland Company
1967→1978	Ashland Chemical Company (Division of Ashland Oil)
1978→1985	Textron, Inc. (Spencer Kellogg Division)
1985→1989	N L Industries, Inc. (and affiliates)

16) Answer the following questions regarding your business or company. In identifying a company that no longer exists, provide all the information requested, except for the agent for service of process. If your company did business under more than one name, list each name.

a) State the legal name of your company.

Answer: Reichhold Chemicals, Inc.

b) State the name and address of the president or the chairman of the board, or other presiding officers of your company.

Answer: Phillip D. Ashkettle, President and CEO
Reichhold Chemicals, Inc.
P.O. Box 13582
Research Triangle Park, NC 27709

c) Identify the state of incorporation of your company and your company's agent for service of process in the state of incorporation and in New Jersey.

Answer: Reichhold is a Delaware Corporation. Its Agent for service of process in Delaware and New Jersey is CT Corporation.

- d) Provide a copy of your company's "Certificate of Incorporation" and any amendments thereto.

Answer: See Response to No. 16(c) above.

- e) If your company is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor to another company, identify these related companies. For each related company, describe the relationship to your company; indicate the date and manner in which each relationship was established.

Answer: Reichhold is a wholly owned subsidiary of Reichhold, Inc., which is itself a wholly owned subsidiary of DIC Americas, Inc.

- f) Identify any predecessor organization and the dates that such company became part of your company.

Answer: Not applicable

- g) Identify any other companies which were acquired by your company or merged with your company.

Answer: Reichhold objects to this question as overbroad. See response 15(c), above.

- h) Identify the date of incorporation, state of incorporation, agents for service of process in the state of incorporation and New Jersey, and nature of business activity, for each company identified the responses to items (16)(e), (f), and (g), above.

Answer: See Response to 16(g), above.

- i) Identify all previous owners or parent companies, address, and the date change in ownership occurred.

Answer: Reichhold objects to this question as overbroad.

17. Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding. Please include the names and addresses of any former employees contacted in relation to providing information regarding this Request.

Answer:

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